

**ANDREW R. PERRONG**  
**1657 The Fairway #131 Jenkintown, PA 19046**

**Civil Action  
No. 15-1807**

**Risen Capital, LLC ("RISEN"),**  
**1300 NW 17th Ave., #278 Delray Beach, FL 33445**

**CRYSTIAN BARRERA, Individually and as )  
Chief Executive Officer / Principal of RISEN )  
1300 NW 17th Ave., #278 Delray Beach, FL 33445 )**

and )  
DOES 1 through 100, inclusive, )

## Jury Trial Demanded

IT APPEARING that the complaint was filed on the 7<sup>th</sup> of April, 2015, and it FURTHERMORE appearing that the summons and complaint were duly served on defendants Risen Capital, LLC and CRYSTIAN BARRERA on April 13<sup>th</sup>, 2015, and FURTHERMORE appearing that the above-named defendants have failed to appear, plead, or otherwise defend, and FURTHERMORE appearing that nothing whatsoever has been filed by the above-named defendants as required to by law, and based on the MOTION and AFFIDAVIT submitted herein NOW THEREFORE, upon motion of Plaintiff, **JUDGEMENT of DEFAULT** is hereby **ENTERED** in the sum of **\$73,500** against defendants Risen Capital, LLC and CRYSTIAN BARRERA, pursuant to Federal Rule of Civil Procedure Rule 55(b)(1)

By \_\_\_\_\_

1

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**ANDREW R. PERRONG**

**1657 The Fairway #131 Jenkintown, PA 19046**

**Plaintiff,**

**vs.**

**Risen Capital, LLC ("RISEN"),**

**1300 NW 17th Ave., #278 Delray Beach, FL 33445**

**CRYSTIAN BARRERA, Individually and as**

**Chief Executive Officer / Principal of RISEN**

**1300 NW 17th Ave., #278 Delray Beach, FL 33445**

**and**

**DOES 1 through 100, inclusive,**

**Defendants.**

**Civil Action**

**No. 15-1807**

**FILED**

**MAY 08 2015**

**MICHAEL E. KUNZ, Clerk**  
**By \_\_\_\_\_ Dep. Clerk**

**Jury Trial Demanded**

**MOTION FOR JUDGMENT IN DEFAULT:**

1. COMES NOW plaintiff Andrew Perrong and hereby requests that the Clerk of Court enter a judgement of default against defendants Risen Capital, LLC and CRYSTIAN BARRERA, pursuant to Federal Rule of Civil Procedure 55(b)(1).

2. In support of this motion, Plaintiff relies upon the record of this case and the affidavit submitted herein.

Dated: May 7, 2015



**Andrew Perrong**  
**Pro-Se Litigant**  
**1657 The Fairway #131**  
**Jenkintown, PA 19046**  
**Phone: 215-791-6957**  
**Facsimile: 888-329-0305**  
**RISENlitigation@gmail.com**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**ANDREW R. PERRONG**

**1657 The Fairway #131 Jenkintown, PA 19046**

**Plaintiff,**

**vs.**

**Risen Capital, LLC ("RISEN"),**

**1300 NW 17th Ave., #278 Delray Beach, FL 33445**

**CRYSTIAN BARRERA, Individually and as**

**Chief Executive Officer / Principal of RISEN**

**1300 NW 17th Ave., #278 Delray Beach, FL 33445**

**and**

**DOES 1 through 100, inclusive,**

**Defendants.**

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**MICHAEL E. KUNZ, Clerk  
Dep. Clerk**

**Jury Trial Demanded**

**AFFIDAVIT OF ANDREW PERRONG  
IN SUPPORT OF MOTION FOR JUDGEMENT OF DEFAULT:**

COMES NOW plaintiff Andrew Perrong, who, having been duly sworn, swears and deposes as follows:

1. I am the Plaintiff Pro-Se in this action.
2. A summons and complaint was filed in this court on April 7<sup>th</sup>, 2015.
3. Service of process in accordance with Federal Rule of Civil Procedure 4 was accomplished as of the 13<sup>th</sup> of April, 2015.
4. Service was made to defendants Risen Capital, LLC and CRYSTIAN BARRERA.
5. An answer to the complaint was due on May 5<sup>th</sup>, 2015. Therefore, more than twenty one (21) days have passed since the defendants were served.

6. Defendants Risen Capital, LLC and CRYSTIAN BARRERA have not sought additional time within which to respond.

7. Pursuant to the Servicemembers Civil Relief Act, to the best of my information and belief, none of the defendants are in active military service.

8. To the best of my information and belief, defendants are neither minors nor incompetent persons.

9. Defendants Risen Capital, LLC and CRYSTIAN BARRERA have failed to appear, plead, or otherwise defend within the time allotted and are therefore now in default.

10. Plaintiff has received correspondence from Defendants' counsel, Sheldon Zipkin, requesting additional time, however this request was denied, and Plaintiff noted that Mr. Zipkin should make a motion requesting more time should he so desire.

11. However, since neither defendants nor Mr. Zipkin have made any appearance, pleadings, or motions before this court, including a motion for extension of time, defendants have nevertheless failed to appear, plead or otherwise defend, as private correspondence is irrelevant and not subject to the record of this Court. Therefore, defendants are in default.

12. The claim of the plaintiff is for statutory monetary damages of **\$73,500**. This amount is based on statutory damages of \$1,500 per violation, with seven telephone calls and seven violations per call. No additional relief, such as injunctive or common law relief is being sought at this point and time.

WHEREFORE, Plaintiff prays that the Clerk of Court judges default against the defendants Risen Capital, LLC and CRYSTIAN BARRERA in the sum of **\$73,500**


## FURTHER AFFLIANT SAYETH NAUGHT

Dated: May 7<sup>th</sup>, 2015

Commonwealth of Pennsylvania

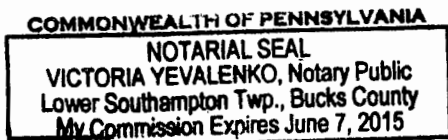
County of Bucks

Before me, the undersigned Notary Public,  
this 7<sup>th</sup> day of May, 2015,  
personally appeared Andrew Perrong  
to me known, who being duly sworn according to law,  
deposes the above.

  
Signature

Subscribed and sworn to before me  
this 7 day of May, 20 15

Notary Public



**Andrew Perrong**  
***Pro-Se Litigant***  
1657 The Fairway #131  
Jenkintown, PA 19046  
Phone: 215-791-6957  
Facsimile: 888-329-0305  
**RISEnlitigation@gmail.com**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**ANDREW R. PERRONG**

**1657 The Fairway #131 Jenkintown, PA 19046**

**Plaintiff,**

**vs.**

**Risen Capital, LLC ("RISEN"),**

**1300 NW 17th Ave., #278 Delray Beach, FL 33445**

**CRYSTIAN BARRERA, Individually and as**

**Chief Executive Officer / Principal of RISEN**

**1300 NW 17th Ave., #278 Delray Beach, FL 33445**

**and**

**DOES 1 through 100, inclusive,**

**Defendants.**

**Civil Action**

**No. 15-1807**

**FILED**

**MAY 08 2015**

**MICHAEL E. KUNZ, Clerk**  
By \_\_\_\_\_ **Dep. Clerk**

**Jury Trial Demanded**

**CERTIFICATE AND AFFIDAVIT OF SERVICE:**

COMES NOW plaintiff Andrew Perrong, who, having been duly sworn, swears and deposes as follows:

1. I am the Plaintiff Pro-Se in this action.
2. I certify that on this date I caused a copy of the attached Motions, Affidavits, and

Proposed Orders of Entry of Default and Judgement of Default to be placed in an envelope, First Class Mail, postage paid, addressed to the following, which are the addresses for Defendants and counsel:

**CRYSTIAN BARRERA / RISEN CAPITAL**  
1300 NW 17th Ave., #278  
Delray Beach, FL 33445

**SHELDON ZIPKIN**  
*Counsel for Risen Capital*  
2020 NE 163rd Street, Suite 300  
North Miami Beach, FL 33162

3. I further certify that said envelopes were placed into a locked receptacle of the United States Postal Service for entry into the Mails of the United States.

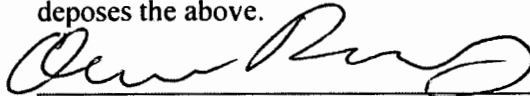
**FURTHER AFFIANT SAYETH NAUGHT**

Dated: May 7<sup>th</sup>, 20 15

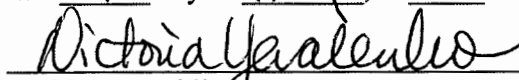
Commonwealth of Pennsylvania

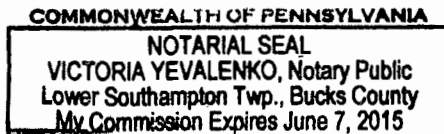
County of Bucks

Before me, the undersigned Notary Public,  
this 7<sup>th</sup> day of May, 20 15,  
personally appeared Andrew Perrong  
to me known, who being duly sworn according to law,  
deposes the above.

  
Signature

Subscribed and sworn to before me  
this 7<sup>th</sup> day of May, 20 15

  
Notary Public



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Pro-Se Litigant  
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